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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

CENTER FOR BIOLOGICAL DIVERSITY  
*et al.*,

Plaintiffs,

v.

MICHAEL S. REGAN, in his official capacity  
as the Administrator of the United States  
Environmental Protection Agency,

Defendant.

Case No. 3:22-cv-3309-RS

**STIPULATION AND ORDER TO  
ENLARGE TIME FOR  
PLAINTIFFS' MOTION FOR  
ATTORNEYS' FEES**

Defendant Michael S. Regan, in his official capacity as Administrator of the United States Environmental Protection Agency (hereinafter, "EPA), and Plaintiffs Center for Biological Diversity and Center for Environmental Health (collectively, "Plaintiffs") file this stipulation notifying the Court that the parties have agreed to extend the deadline for Plaintiffs to file a motion for costs of litigation (including attorneys' fees) by 60 days from the date of this stipulation and proposed order. The aforementioned deadline is set forth in Paragraph 10 of the

STIPULATION AND ORDER TO ENLARGE TIME FOR PLAINTIFFS' MOTION FOR  
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1 Consent Decree entered by the Court on June 15, 2023 (Dkt. No. 37). Paragraph 5 of the consent  
 2 decree provides, inter alia, that “[t]he deadlines established by this Consent Decree may be  
 3 extended (a) by written stipulation of Plaintiffs and EPA with notice to the Court . . . .” Consent  
 4 Decree ¶ 5.

5 WHEREAS, the Consent Decree provides that “[t]he deadline for filing a motion for  
 6 costs of litigation (including attorneys’ fees) for activities performed prior to entry of the  
 7 Consent Decree is hereby extended until ninety (90) days after this Consent Decree is entered by  
 8 the Court.”

9 WHEREAS, the parties are in the process of negotiating Plaintiffs’ claim for costs of  
 10 litigation, including attorneys’ fees, for activities performed prior to the entry of the Consent  
 11 Decree and require additional time complete such negotiations.

12 WHEREAS, therefore, in order to allow time to complete their negotiations, the parties  
 13 have agreed to an extension of the deadline for filing a motion for costs of litigation (including  
 14 attorneys’ fees) from 90 days after the date the Consent Decree was entered, to 60 days after the  
 15 date of this stipulation.

16 NOW THEREFORE, Plaintiffs and EPA hereby stipulate as follows:

17 1. Plaintiffs’ deadline to file a motion for costs of litigation (including attorneys’  
 18 fees) as outlined in Paragraph 10 of the Consent Decree is extended to 60 days after the date of  
 19 this stipulation.

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1 Dated: September 11, 2023

Respectfully submitted,

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3 Alexander M. Purpuro

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Robert Ukeiley (Email Auth. 9/11/2023)

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19 \* \* \*

20 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

21  
22 DATED: 9/11/2023

23   
24 RICHARD SEEBORG  
25 United States District Judge  
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